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Attorneys for Plaintiff,
GEORGIA-PACIFIC CONSUMER PRODUCTS LP

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

GEORGIA-PACIFIC CONSUMER
PRODUCTS LP, a Delaware limited
partnership,

Plaintiff,

v.

LEE'S GENERAL TOYS, INC., a California
corporation, JOHN LEE, an individual; and
DOES 1-100,

Defendants.

Civil Action No. 07-CV-02391 JAH (POR)

**DECLARATION OF ANDREW TOWLE
IN SUPPORT OF PLAINTIFF GEORGIA-
PACIFIC CONSUMER PRODUCTS LP'S
REPLY TO DEFENDANTS' OPPOSITION
TO SUPPLEMENTAL BRIEF IN
SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

1 I, Andrew Towle, hereby declare as follows:

2 1. I am the Vice-President and General Manager of the Retail Tissue Business for
3 Georgia-Pacific Consumer Products LP ("Georgia-Pacific"). I have personal knowledge of the
4 matters set forth below and could and would testify competently thereto if necessary.

5
6 **Georgia-Pacific's Marketing and Advertising Efforts Directed Toward Spanish-speaking**
7 **Consumers**

8 2. As I alluded to in my previous declaration, filed in support of Georgia-Pacific's
9 *Ex Parte* Application for a Temporary Restraining Order and Order to Show Cause re
10 Preliminary Injunction, dated December 20, 2007, Georgia-Pacific purposefully and specifically
11 directs substantial advertising for its ANGEL SOFT® brand bathroom tissue toward the
12 Spanish-speaking market in the United States.

13 3. In particular, in 2007 Georgia-Pacific spent approximately \$3 million in
14 advertising focused on the Spanish-speaking market in the United States and we will spend
15 another \$3.1 million in advertising focused on the Spanish-speaking market in the United States
16 this year in 2008.

17 4. Georgia-Pacific employs an advertising agency, La Agencia de Orci, to assist
18 with our advertising in the Spanish-speaking market.

19
20 **Georgia-Pacific's Spanish Television Commercials**

21 5. In conjunction with La Agencia de Orci, we have developed and aired television
22 commercials in Spanish. We pay for these commercials to air nationwide on the top Spanish-
23 speaking television channels including Azteca America, Telefutura, Telemundo, Univision, and
24 Galavision.

25 6. In the past, we have aired Spanish television commercials entitled
26 "Sander/Sneeze" and "Nail/Buffer."

27 7. I am informed that a DVD containing videos of these commercials is attached as
28 Exhibit 1 to Georgia-Pacific's Notice of Lodgment, filed concurrently. I am also informed that

1 screen shots from these two television commercials are attached as Exhibits 4 and 5 to the
2 Declaration of Adam Welland, filed concurrently.

3 8. Currently, we are airing two new television commercials in Spanish which will
4 run for the duration of this year and until December 2008, also on the top Spanish-speaking
5 television channels including Azteca America, Telefutera, Telemundo, Univision, and
6 Galavision. These commercials are entitled "Getting Ready" and "Shower."

7 9. I am informed that a DVD containing videos of these commercials is attached as
8 Exhibit 1 to Georgia-Pacific's Notice of Lodgment, filed concurrently. I am also informed that
9 screen shots from these two television commercials are attached as Exhibits 6 and 7 to the
10 Declaration of Adam Welland, filed concurrently.

11 10. **ANGEL SOFT®** bathroom tissue is one of only two national brands of bathroom
12 tissue that airs television advertising in Spanish on these Spanish-speaking television channels in
13 the United States.

14
15 **Georgia-Pacific's Spanish Radio Commercials**

16 11. In conjunction with La Agencia de Orci, we have also developed and aired radio
17 commercials in Spanish. We paid for these radio commercials to air in the past in Spanish-
18 speaking markets.

19 12. These commercials are entitled "Ursula" and "Yoga Food City Tamales."

20 13. I am informed that a DVD containing audio for these commercials is attached as
21 Exhibit 1 to Georgia-Pacific's Notice of Lodgment, filed concurrently.

22
23 **Georgia-Pacific's Spanish On-line Advertising**

24 14. We have also developed and implemented on-line advertising and promotional
25 campaigns directed specifically toward the Spanish-speaking market.

26 15. Attached as Exhibit A is a true and correct copy of a print out of an exemplary on-
27 line advertisement.

28 //

1 **Georgia-Pacific's Customer Specific Marketing Programs**

2 16. We have also previously offered Customer Specific Marketing programs directly
 3 to customers of our ANGEL SOFT® bathroom tissue in the Spanish-speaking market. One
 4 example of a customer specific marketing event to promote our products is the ANGEL SOFT®
 5 slide that we would send to fairs, carnivals, and other public gatherings in the Spanish-speaking
 6 market.

7
 8 **Successful Results of Advertising Directed Toward Spanish-speaking Consumers**

9 17. As a result of our advertising to the Spanish-speaking market, ANGEL SOFT®
 10 brand bathroom tissue has experienced the highest growth rate with Spanish-speaking consumers
 11 among branded bathroom tissue.

12 18. We estimate that there are approximately 10 million Spanish-speaking consumers
 13 of ANGEL SOFT® bathroom tissue found all across the U.S. California is home to the largest
 14 percentage of Spanish-speaking ANGEL SOFT® bathroom tissue consumers.

15 19. In view of the success of our advertising and marketing efforts in the Spanish-
 16 speaking market, our future advertising plans and spending will continue to include dollars
 17 devoted specifically to targeting the Spanish-speaking market.

18 //

19 //

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct and that this declaration was executed by me on this 4th day of March
3 2008.

4  3-4-08
Andrew Towle

EXHIBIT A



2006 Online Creative (Added Value)



This one is too soft.



This one isn't soft.



Angel Soft.
The paper with the ideal balance.
Obtain coupon here.

